

AMENDMENT TO RULES COMMITTEE PRINT 117–**13****OFFERED BY MR. YOUNG OF ALASKA**

Add at the end of subtitle A of title XVI the following new section:

1 SEC. 1609. REQUIREMENT FOR USE OF DOMESTIC SPACE-
2 PORTS.

3 (a) REQUIREMENT.—Except as provided by sub-
4 section (b), the Secretary of Defense may only conduct
5 a covered launch from a spaceport that is—

6 (1) located in the United States; and

7 (2) licensed by the Federal Aviation Adminis-
8 tration or on a Federal installation.

9 (b) WAIVER.—On a case-by-case basis, the Secretary
10 may waive the requirement under subsection (a) with re-
11 spect to a covered launch if—

12 (1) the Secretary determines that—

13 (A) there is no spaceport described in such
14 subsection that can support the required incli-
15 nation and class of launch vehicle; or

16 (B) there is an urgent and compelling na-
17 tional security requirement to conduct the
18 launch outside the United States; and

1 (2) the Secretary submits to the congressional
2 defense committees a detailed justification of the de-
3 termination under paragraph (1), including—

4 (A) with respect to such a determination
5 under subparagraph (A) of paragraph (1),
6 statements from spaceports located in the
7 United States with respect to the spaceports
8 being either unable to support the launch or de-
9 clining the launch; or

10 (B) with respect to such a determination
11 under subparagraph (B) of paragraph (1), a
12 certification of the urgent and compelling na-
13 tional security requirement.

14 (c) DELEGATION.—The Secretary may not delegate
15 the authority to make a determination under subsection
16 (b)(1)(B) below the level of Under Secretary.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “covered launch” means a launch
19 of the Department of Defense that is suborbital or
20 bound for low Earth orbit, medium Earth orbit, geo-
21 stationary orbit, polar orbit, or cislunar space orbit.

22 (2) The term “State” includes the District of
23 Columbia, Puerto Rico, the Commonwealth of the

- 1 Northern Mariana Islands, and any territory or pos-
- 2 session of the United States.

